
APPENDIX

BILL TRANSMITTED TO GOVERNOR
UNDER ARTICLE 16, SECTION 59

HB 1598 transmitted by the Chief Clerk to the Governor on March 15, 1971.

STANDING COMMITTEE REPORTS

Favorable reports have been filed by Committees on bills and resolutions, as follows:

Criminal Jurisprudence: HB 186.

Engrossed and Enrolled Bills: Correctly engrossed—HCR 53, HCR 86. Correctly enrolled—HB 37, HCR 76.

Parks and Wildlife: HB 586, HB 722, HB 824, HCR 72.

THIRTY-NINTH DAY—WEDNESDAY, MARCH 17, 1971

The House met at 10:30 a.m. and was called to order by the Speaker.

The roll of the House was called and the following Members were present:

Mr. Speaker	Cole	Head	Moore, A.
Adams	Craddick	Heatly	Moore, G.
Agnich	Cruz	Hendricks	Moore, T.
Allen, Joe	Daniel	Hilliard	Moreno
Allen, John	Davis, D.	Holmes, T.	Murray
Angly	Davis, H.	Holmes, Z.	Nabers
Atwell	Denton	Howard	Nelms
Atwood	Doyle	Hubenak	Neugent, D.
Baker	Dramberger	Ingram	Newton
Bass, B.	Earthman	Johnson	Nichols
Bass, T.	Farenthold	Jones, D.	Niland
Beckham	Finck	Jones, E.	Nugent, J.
Bigham	Finnell	Jungmichel	Ogg
Blanton	Finney	Kaster	Orr
Blythe	Floyd	Kilpatrick	Parker, C.
Bowers	Foreman	Kost	Parker, W.
Boyle	Gammage	Kubiak	Patterson
Braecklein	Golman	Lee	Pickens
Braun	Grant	Lemmon	Poerner
Bynum	Graves	Lewis	Poff
Caldwell	Hale	Ligarde	Presnal
Calhoun	Hanna, Joe	Lombardino	Reed
Carrillo	Harding	Longoria	Rodriguez
Cates	Harris	Lovell	Rosson
Cavness	Hawkins	McAlister	Salem
Christian	Hawn	Mengden	Salter
Coats	Haynes	Moncrief	Santiesteban

Schulle	Slider	Tarbox	Wayne
Semos	Smith	Truan	Wieting
Shannon	Solomon	Tupper	Williams
Short	Spurlock	Uher	Williamson
Silber	Stewart	Vale	Wolff
Simmons	Stroud	Von Dohlen	
Slack	Swanson	Ward	

Absent

Allred	Doran	McKissack	Traeger
Burgess	Garcia	Price	Wyatt
Clark	Hannah, John	Sanchez	
Clayton	Jones, G.	Sherman	

Absent-Excused

Cobb	Hull
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(Mr. Nabers occupied the Chair temporarily)

(Speaker in the Chair)

A quorum of the House was announced present.

The Invocation was offered by Father Joseph Dean, Assistant Pastor, Notre Dame Catholic Church, Kerrville, Texas, as follows:

"Lord's Prayer in Gaelic:

Ar nAtair ata ar neam,

Go naomuiglear t-ainm

Go dtagaid do rioct

Go ndeintear do toel ar an dtalam mar a demlear ar neam

Ar n-aran laetuil tabair duinn innde

Mait duinn ar gcionnta mar a maitimid do cac a cionntaibionn in ar n-aga

Agus na leig sinn i gcataoib

Ac saor sinn o olc. Amen.

Dear God, You raise up inspired leaders to bring about Your designs for men. As we honor Saint Patrick today, we ask You to fill us with a consciousness of Your presence in us and in our world, which presence Saint Patrick so beautifully expressed in the prayer, the Breastplate of Saint Patrick:

Christ be with me

Christ be before me

Christ be behind me

Christ be within me

Christ be beneath me

Christ be above me

Christ at my right

Christ at my left

Christ be in the fort

Christ be in the chariot-seat

Christ be in the ship

Christ be in the heart of everyone who thinks of me

Christ be in the mouth of everyone who speaks to me

Christ be in every eye that sees me

Christ be in every ear that hears me.

This is our prayer, O God, and our wish for all Members of this House and for all our fellow Texans for a happy Saint Patrick's Day. Amen."

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence for today on account of important business:

Mr. Hull on motion of Mr. Walt Parker.

Mr. Cobb on motion of Mr. Walt Parker.

MESSAGE FROM THE SENATE

Austin, Texas, March 17, 1971

Honorable Gus Mutscher, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

SB 338, By Moore, Brooks: Relating to creation of the Real Estate Research Center at Texas A&M University; and declaring an emergency.

SCR 58, By Aikin, et al: In memory of Mrs. Ethel Ruth Watson of Mart.

Respectfully,
CHARLES A. SCHNABEL
Secretary of the Senate

Representative Garcia entered the House and was announced present.

BILL AND RESOLUTION SIGNED BY THE SPEAKER

The Speaker signed in the presence of the House, after giving due notice thereof, the following enrolled bill and resolution:

SB 433, Relating to the quarantine powers of the Texas Animal Health Commission.

SCR 44, In memory of Mr. Juan Rivera, Sr.

Representative Price entered the House and was announced present.

MEMORIAL RESOLUTIONS ADOPTED

The following Memorial Resolutions were adopted unanimously by a rising vote:

HCR 90, by Harding: In memory of Captain Albert Tijerina, Jr.

HSR 248, by Smith: In memory of Mrs. Roy Rowntree.

Representatives Sanchez and Grant Jones entered the House and were announced present.

CONGRATULATORY RESOLUTIONS ADOPTED

The following Congratulatory Resolutions were adopted unanimously:

HCR 92, by Blanton and Heatly: Congratulating the Order of DeMolay.

On motion of Mr. Smith, the names of all the Members of the House were added to HCR 92 as signers thereof.

HSR 251, by Von Dohlen, Boyle, Allred, Silber, Kost, Simmons, Swanson, Cole, Lewis, Golman, Dean Neugent, and Uher: Requesting all Texans to participate in observance of National Poison Prevention Week.

SCR 57, Commending the fire fighting men of Engine Company Number 41, Houston, Texas.

Representative Traeger entered the House and was announced present.

LEAVE OF ABSENCE GRANTED

On motion of Mr. Traeger, Mr. Clayton was granted leave of absence for today on account of important business.

HSR 246—ADOPTED

(Congratulating the Honorable Rufus Kilpatrick on his birthday)

Mr. Smith offered the following resolution:

HSR 246

Whereas, The day of March 17th is a great day with two claims to fame, as this is both the day of Saint Patrick and the day of Kilpatrick; and

Whereas, On this day, patriotic sons of Ireland, wherever they may be around the world, celebrate the great deeds of Saint Patrick who drove the snakes from the Emerald Isle many years ago; and

Whereas, On this same date, March 17th, many, many years later, and also a great many years ago, we will not say how many, the Rufus Francis Kilpatrick family, celebrated the day of the patron saint of Ireland and the arrival of a new Kilpatrick now known as the Honorable Rufus, who is now a distinguished and able Member of the Texas House of Representatives; and

Whereas, The Honorable Rufus Kilpatrick, with the true luck of the Irish, has been blessed with a lovely wife, Ruby and five young Kilpatricks, each with a touch of blarney, and with a little bit of mischief as befits true sons and daughters of the Auld Sod; and

Whereas, The people of Jefferson County who have eight times elected the Honorable Rufus to represent them in Austin, join with the Royal and Ancient Order of Hibernians and with Ruby and the Kilpatrick clan in celebrating the birthday of the aforesaid Rufus (Honorable, that is); therefore, be it

Resolved by the House of Representatives of the State of Texas, That the Members of this House join in wishing him a Happy Birthday and many more years of health and happiness and the wearing of the green; and, be it further

Resolved, That when the House adjourns for lunch on this March 17th, 1971, that it do so in celebration of the birthday of the Honorable Rufus Kilpatrick and in remembrance of the great Saint Patrick himself and that either before or following such adjournment any Member of this House may request that the Honorable Representative provide the necessary refreshments for the proper celebration of this occasion.

Begorra!

The resolution was read and was unanimously adopted.

On motion of Mr. Smith, the names of all the Members of the House were added to the resolution as signers thereof.

Representatives Sherman and McKissack entered the House and were announced present.

CONGRATULATORY RESOLUTION ADOPTED

The following Congratulatory Resolution was adopted unanimously:

HSR 252, by Craddick: Commending the coaching staff and basketball team of Midland High School.

HSR 247—REFERRED TO COMMITTEE

(Creating a special interim committee to make a study of the Texas Civil Air Patrol)

Mr. Braun offered the following resolution:

HSR 247

Whereas, The Texas Civil Air Patrol is an organization of dedicated citizens who make their personal aircraft and themselves useful to the people of Texas in times of emergency, as they voluntarily conduct search and rescue operations; and

Whereas, The Texas Civil Air Patrol works harmoniously with state departments and agencies, such as the Texas Department of Public Safety and the Air National Guard, as well as operations of the United States government, in carrying out missions of mercy and other activities for the welfare of Texas citizens; and

Whereas, There is no official means of coordinating the activities of the Texas Civil Air Patrol with those of state and federal units also concerned with providing search and rescue operations, and with effective coordination the services of the Texas Civil Air Patrol might be better utilized to the benefit of all Texans; now, therefore, be it

Resolved, That the House of Representatives of the 62nd Legislature create a special interim committee to make a study of the Texas Civil Air Patrol in relation to its functions and operations and the feasibility of providing for better coordination of its activities with those of state and federal units concerned with air search and rescue operations; and, be it further

Resolved, That the committee shall be composed of five members, three members of the House of Representatives and two citizen members, all to be appointed by the Speaker of the House of Representatives; and, be it further

Resolved, That the Texas Department of Public Safety, the Texas Air National Guard, and other State Departments and agencies concerned, and the Texas Civil Air Patrol be requested to cooperate with the committee in its study; and, be it further

Resolved, That actual expenses of members of the committee and other necessary expenses of operation in connection with committee activities be paid from the Expense Fund of the House of Representatives; the committee shall prepare a budget for its operating expenses, which shall be submitted to the House Administration Committee, and no expenditures shall be made until the budget has been approved. Prior approval of non-

budgeted expenditures must also be obtained from the House Administration Committee; and, be it further

Resolved, That the committee shall make its complete report, including findings and recommendations and drafts of any legislation that may be proposed, to the 63rd Legislature when it convenes in January, 1973, and that five copies of the completed report shall be filed in the Legislative Reference Library and five copies filed in the office of the Texas Legislative Council. Following official distribution of the committee report, all remaining copies shall be deposited with the Legislative Reference Librarian.

Signed: Braun, Doran, Clayton, Kaster, Wayne, and Jim Nugent.

The resolution was referred to the Committee on Resolutions and Interim Activities.

HOUSE BILLS ON FIRST READING

The following House Bills were today laid before the House, read first time and referred to Committees, as follows:

(Mr. Ward in the Chair)

By Lee:

HB 1141, A bill to be entitled An Act excluding off-campus political activities from the student services for which institutions of higher learning may charge and collect fees; amending Subsection (b), Section 4, Chapter 237, Acts of the 40th Legislature, Regular Session, 1927, as amended (Article 2654a, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Higher Education.

By Lee:

HB 1142, A bill to be entitled An Act amending Article 38.22, Code of Criminal Procedure, 1965, as amended; providing rules governing admission in evidence at the trial of a criminal case of the oral statements and admissions of guilt made by the accused; and declaring an emergency.

Referred to Committee on Criminal Jurisprudence.

By Lee:

HB 1143, A bill to be entitled An Act relating to assaults and assault and battery by persons using or exhibiting firearms and additional penalties for persons who use or exhibit a firearm during the commission of certain offenses; providing for imprisonment without probation or parole in those instances; increasing the maximum sentences for murder without malice and assault to commit murder with malice to life imprisonment; increasing the minimum sentence for murder with malice to 20 years; amending Articles 48, 1147, 1151, 1160, 1162, 1189, 1257, 1408, 1391, 1397, and 1402, Penal Code of Texas 1925; amending Section 3-a, Chapter 274, Acts of the 40th Legislature, Regular Session, 1927, as amended (Article 1257b, Vernon's Texas Penal Code); amending Chapter 12, General Laws, Acts of the 42nd

Legislature, Regular Session, 1931, as amended (Article 1177a, Vernon's Texas Penal Code); Sections 3 and 3a, and Subsections (a) and (b) of Section 15, Article 42.12, Code of Criminal Procedure, 1965, as amended; and Chapter 2, Title 15, Penal Code of Texas, 1925, by adding a new Article 1151A; and declaring an emergency.

Referred to Committee on Criminal Jurisprudence.

By Lee:

HB 1144, A bill to be entitled An Act authorizing the issuance of search warrants to search for and seize evidence of a crime; amending Chapter 18, Code of Criminal Procedure, 1965, as amended; and declaring an emergency.

Referred to Committee on Criminal Jurisprudence.

By Williams:

HB 1145, A bill to be entitled An Act creating and establishing a conservation and reclamation district under and essential to the purposes of Article 16, Section 59 of the Constitution of Texas to be known as "Harris County Utility District No. 8"; declaring the district a governmental agency and body politic and corporate; defining the boundaries; finding that the boundaries of the district form a closure; finding that all property within the district will be benefited thereby; conferring rights, powers, privileges, authorities and functions upon the district; providing for continuing supervision by the state through the Texas Water Rights Commission; providing for the power to contract and making provision for such contracts; providing that taxes may be levied, collected and pledged to support contracts or to purchase water; providing that the Regional Waste Disposal Act shall be applicable; providing that no confirmation election is necessary; providing for a hearing on exclusions; providing that the district shall use the ad valorem plan of taxation; providing for addition or annexation of land; providing for the appointment, election and powers of a board of directors and related matters; providing for compliance with Article 7880-139, V.T.C.S.; providing for the power to borrow money, issue bonds, invest surplus funds and related matters; providing for the power of eminent domain, the use of public roadways, streets, alleys and easements and the district bearing the expense of relocation of certain properties and facilities; providing for the appointment of depositories and a system of accounts and an audit thereof; providing for district offices; providing that powers may be exercised within or without the district boundaries in contiguous or non-contiguous areas; providing for minimum price of bonds; providing that no general law, including Article 7880-77b, V.T.C.S., pertaining to dissolution shall be applicable to the district; providing for notice of elections; providing for canvassing elections; providing that the bonds of the district are eligible investments and security; providing that the Municipal Annexation Act is not applicable to the creation of the district but that Article 1182c-1, V.T.C.S., shall be applicable; finding that the requirements of Article 16, Section 59(d) of the Constitution have been accomplished; finding that the district will be carrying out an essential public function and providing that district properties and purchases are tax-free; enacting other provisions related to the aforementioned subject; providing a severability clause; and declaring an emergency.

Referred to Committee on Conservation and Reclamation.

By Williams:

HB 1146, A bill to be entitled An Act creating and establishing a conservation and reclamation district under and essential to the purposes of Article 16, Section 59 of the Constitution of Texas to be known as "Harris County Utility District No. 16"; declaring the district a governmental agency and body politic and corporate; defining the boundaries; finding that the boundaries of the district form a closure; finding that all property within the district will be benefited thereby; conferring rights, powers, privileges, authorities and functions upon the district; providing for continuing supervision by the state through the Texas Water Rights Commission; providing for the power to contract and making provision for such contracts; providing that taxes may be levied, collected and pledged to support contracts or to purchase water; providing that the Regional Waste Disposal Act shall be applicable; providing that no confirmation election is necessary; providing for a hearing on exclusions; providing that the district shall use the ad valorem plan of taxation; providing for addition or annexation of land; providing for the appointment, election and powers of a board of directors and related matters; providing for compliance with Article 7880-139, V.T.C.S.; providing for the power to borrow money, issue bonds, invest surplus funds and related matters; providing for the power of eminent domain, the use of public roadways, streets, alleys and easements and the district bearing the expense of relocation of certain properties and facilities; providing for the appointment of depositories and a system of accounts and an audit thereof; providing for district offices; providing that powers may be exercised within or without the district boundaries in contiguous or noncontiguous areas; providing for minimum price of bonds; providing that no general law, including Article 7880-77b, V.T.C.S., pertaining to dissolution shall be applicable to the district; providing for notice of elections; providing for canvassing elections; providing that the bonds of the district are eligible investments and security; providing that the Municipal Annexation Act is not applicable to the creation of the district but that Article 1182c-1, V.T.C.S., shall be applicable; finding that the requirements of Article 16, Section 59(d) of the Constitution have been accomplished; finding that the district will be carrying out an essential public function and providing that district properties and purchases are tax-free; enacting other provisions related to the aforementioned subject; providing a severability clause; and declaring an emergency.

Referred to Committee on Conservation and Reclamation.

By Williams:

HB 1147, A bill to be entitled An Act creating and establishing a conservation and reclamation district under and essential to the purposes of Article 16, Section 59 of the Constitution of Texas to be known as "Harris County Utility District No. 9"; declaring the district a governmental agency and body politic and corporate; defining the boundaries; finding that the boundaries of the district form a closure; finding that all property within the district will be benefited thereby; conferring rights, powers, privileges, authorities and functions upon the district; providing for continuing supervision by the state through the Texas Water Rights Commission; providing for the power to contract and making provision for such contracts; providing that taxes may be levied, collected and pledged to support contracts or to purchase water; providing that the Regional Waste Disposal Act shall be applicable; providing that no confirma-

tion election is necessary; providing for a hearing on exclusions; providing that the district shall use the ad valorem plan of taxation; providing for addition or annexation of land; providing for the appointment, election and powers of a board of directors and related matters; providing for compliance with Article 7880-139, V.T.C.S.; providing for the power to borrow money; issue bonds, invest surplus funds and related matters; providing for the power of eminent domain, the use of public roadways, streets, alleys and easements and the district bearing the expense of relocation of certain properties and facilities; providing for the appointment of depositories and a system of accounts and an audit thereof; providing for district offices; providing that powers may be exercised within or without the district boundaries in contiguous or noncontiguous areas; providing for minimum price of bonds; providing that no general law, including Article 7880-77b, V.T.C.S., pertaining to dissolution shall be applicable to the district; providing for notice of elections; providing for canvassing elections; providing that the bonds of the district are eligible investments and security; providing that the Municipal Annexation Act is not applicable to the creation of the district but that Article 1182c-1, V.T.C.S., shall be applicable; finding that the requirements of Article 16, Section 59(d) of the Constitution have been accomplished; finding that the district will be carrying out an essential public function and providing that district properties and purchases are tax-free; enacting other provisions related to the aforementioned subject; providing a severability clause; and declaring an emergency.

Referred to Committee on Conservation and Reclamation.

By Williams:

HB 1148, A bill to be entitled An Act creating and establishing a conservation and reclamation district under and essential to the purposes of Article 16, Section 59 of the Constitution of Texas to be known as "Harris County Utility District No. 10"; declaring the district a governmental agency and body politic and corporate; defining the boundaries; finding that the boundaries of the district form a closure; finding that all property within the district will be benefited thereby; conferring rights, powers, privileges, authorities and functions upon the district; providing for continuing supervision by the state through the Texas Water Rights Commission; providing for the power to contract and making provision for such contracts; providing that taxes may be levied, collected and pledged to support contracts or to purchase water; providing that the Regional Waste Disposal Act shall be applicable; providing that no confirmation election is necessary; providing for a hearing on exclusions; providing that the district shall use the ad valorem plan of taxation; providing for addition or annexation of land; providing for the appointment, election and powers of a board of directors and related matters; providing for compliance with Article 7880-139, V.T.C.S.; providing for the power to borrow money, issue bonds, invest surplus funds and related matters; providing for the power of eminent domain, the use of public roadways, streets, alleys and easements and the district bearing the expense of relocation of certain properties and facilities; providing for the appointment of depositories and a system of accounts and an audit thereof; providing for district offices; providing that powers may be exercised within or without the district boundaries in contiguous or noncontiguous areas; providing for minimum price of bonds; providing that no general law, including Article 7880-77b, V.T.C.S., pertaining to dissolution shall be

applicable to the district; providing for notice of elections; providing for canvassing elections; providing that the bonds of the district are eligible investments and security; providing that the Municipal Annexation Act is not applicable to the creation of the district but that Article 1182c-1, V.T.C.S., shall be applicable; finding that the requirements of Article 16, Section 59(d) of the Constitution have been accomplished; finding that the district will be carrying out an essential public function and providing that district properties and purchases are tax-free; enacting other provisions related to the aforementioned subject; providing a severability clause; and declaring an emergency.

Referred to Committee on Conservation and Reclamation.

By Williams:

HB 1149, A bill to be entitled An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as "Hannah Nash Public Utility District"; declaring District a governmental agency, body politic and corporate; defining the boundaries; finding the field notes and boundaries form a closure, and related matters; finding benefit to all property within the District; finding District is created for public use and benefit; conferring on District the rights, powers, privileges, authority and functions of the general laws of Texas applicable to water control and improvement districts created under said Article 16, Section 59, Constitution of Texas, where not in conflict with this Act, and adopting same by reference; providing for continuing supervision by the Texas Water Rights Commission; stating the policy of the state with regard to waste control; prescribing the District's rights, powers, privileges and functions, and related matters; providing for no election for confirmation: providing for no hearing for exclusions except on written request or the board of directors own motion; providing for no hearing on plan of taxation and adopting ad valorem plan of taxation; providing for addition of land to District and the assumption of bonded indebtedness by the added land, and related matters; providing for governing body of District; providing for qualifications and bonds of directors; naming first board of directors; providing for the filling of vacancies; providing for terms and election of directors and notice of directors elections; and related matters; providing for the letting of construction contracts and the drawing of warrants; providing for execution of contracts by the president; providing duties of vice-president; providing for compliance with Article 7880-139, V.T.C.S.; providing for bonds and refunding bonds of the District, and related matters; providing for approval of bonds by the Attorney General of Texas and registration by the Comptroller of Public Accounts; providing for the incontestability of bonds; providing the power of eminent domain shall be limited to the county or counties within which District is situated and to situations where necessary to carry out the purposes for which District was created; providing District shall bear expenses of relocating, raising, or rerouting any highway, railroad or utility lines or pipe lines made necessary by its exercise of the power of eminent domain; defining "sole expense"; providing for depositories; providing for an audit, and related matters; providing for the establishment of District offices, and related matters; providing for the sale of bonds and the price of such bonds; providing that Article 7880-77b, V.T.C.S., shall not be applicable to this District; providing that notice of all elections shall be under the hand of the president or secretary; providing for the canvassing of election returns; providing that bonds and refunding bonds of this District shall be eligible investments; provid-

ing that the Municipal Annexation Act shall have no application to this District; providing that District is subject to provisions of Article 1182c-1, V.T.C.S.; determining and finding that the requirements of Article 16, Section 59(d), Constitution of Texas, as to notice of intention to introduce this Act have been fulfilled and accomplished; providing the District shall not be required to pay any tax or assessment on its properties or any purchase; enacting other provisions relating to the aforementioned subjects; providing a severability clause; and declaring an emergency.

Referred to Committee on Conservation and Reclamation.

By Joe Allen:

HB 1150, A bill to be entitled An Act relating to the regulation of the delivery of pistols by certain persons, prohibiting the delivery of pistols to certain persons, and prohibiting the possession, sale, purchase of, or offer to sell or purchase certain dangerous revolvers and their treatment as contraband; providing for civil and criminal penalties; and declaring an emergency.

Referred to Committee on Criminal Jurisprudence.

By D. Neugent:

HB 1151, A bill to be entitled An Act amending Section 15.40, Business and Commerce Code, by adding Subsection (c), authorizing the Attorney General, with the prior consent and approval of the Governor, to settle, compromise, or dismiss any suit or legal proceeding brought under the provisions of Section 15.40, Business and Commerce Code, whereunder the Attorney General is authorized to bring an action on behalf of the state or any of its political subdivisions or tax supported institutions to recover damages provided for by the federal antitrust laws, Title 15, United States Code; and declaring an emergency.

Referred to Committee on Judiciary.

By Daniel:

HB 1152, A bill to be entitled An Act creating and establishing a conservation and reclamation district under and essential to the purposes of Article 16, Section 59 of the Constitution of Texas to be known as "Montgomery County Utility District No. 3"; declaring the district a governmental agency and body politic and corporate; defining the boundaries; finding that the boundaries of the district form a closure; finding that all property within the district will be benefited thereby; conferring rights, powers, privileges, authorities and functions upon the district; providing for continuing supervision by the state through the Texas Water Rights Commission; providing for the power to contract and making provision for such contracts; providing that taxes may be levied, collected and pledged to support contracts or to purchase water; providing that the Regional Waste Disposal Act shall be applicable; providing that no confirmation election is necessary; providing for a hearing on exclusions; providing that the district shall use the ad valorem plan of taxation; providing for addition or annexation of land; providing for the appointment, election and powers of a board of directors and related matters; providing for compliance with Article 7880-139, V.T.C.S.; providing for the power to borrow money, issue bonds, invest surplus funds

and related matters; providing for the power of eminent domain, the use of public roadways, streets, alleys and easements and the district bearing the expense of relocation of certain properties and facilities; providing for the appointment of depositories and a system of accounts and an audit thereof; providing for district offices; providing that powers may be exercised within or without the district boundaries in contiguous or noncontiguous areas; providing for minimum price of bonds; providing that no general law, including Article 7880-77b, V.T.C.S., pertaining to dissolution shall be applicable to the district; providing for notice of elections; providing for canvassing elections; providing that the bonds of the district are eligible investments and security; providing that the Municipal Annexation Act is not applicable to the creation of the district but that Article 1182c-1, V.T.C.S., shall be applicable; finding that the requirements of Article 16, Section 59(d) of the Constitution have been accomplished; finding that the district will be carrying out an essential public function and providing that district properties and purchases are tax-free; enacting other provisions related to the aforementioned subject; providing a severability clause; and declaring an emergency.

Referred to Committee on Conservation and Reclamation.

By Daniel:

HB 1153, A bill to be entitled An Act creating and establishing a conservation and reclamation district under and essential to the purposes of Article 16, Section 59 of the Constitution of Texas to be known as "Montgomery County Utility District No. 4"; declaring the district a governmental agency and body politic and corporate; defining the boundaries; finding that the boundaries of the district form a closure; finding that all property within the district will be benefited thereby; conferring rights, powers, privileges, authorities and functions upon the district; providing for continuing supervision by the state through the Texas Water Rights Commission; providing for the power to contract and making provision for such contracts; providing that taxes may be levied, collected and pledged to support contracts or to purchase water; providing that the Regional Waste Disposal Act shall be applicable; providing that no confirmation election is necessary; providing for a hearing on exclusions; providing that the district shall use the ad valorem plan of taxation; providing for addition or annexation of land; providing for the appointment, election and powers of a board of directors and related matters; providing for compliance with Article 7880-139, V.T.C.S.; providing for the power to borrow money, issue bonds, invest surplus funds and related matters; providing for the power of eminent domain, the use of public roadways, streets, alleys and easements and the district bearing the expense of relocation of certain properties and facilities; providing for the appointment of depositories and a system of accounts and an audit thereof; providing for district offices; providing that powers may be exercised within or without the district boundaries in contiguous or noncontiguous areas; providing for minimum price of bonds; providing that no general law, including Article 7880-77b, V.T.C.S., pertaining to dissolution shall be applicable to the district; providing for notice of elections; providing for canvassing elections; providing that the bonds of the district are eligible investments and security; providing that the Municipal Annexation Act is not applicable to the creation of the district but that Article 1182c-1, V.T.C.S., shall be applicable; finding that the requirements of Article 16, Section 59(d) of the Constitution have been accomplished; finding that the

district will be carrying out an essential public function and providing that district properties and purchases are tax-free; enacting other provisions related to the aforementioned subject; providing a severability clause; and declaring an emergency.

Referred to Committee on Conservation and Reclamation.

By Daniel:

HB 1154, A bill to be entitled An Act creating and establishing a conservation and reclamation district under and essential to the purposes of Article 16, Section 59 of the Constitution of Texas to be known as "Montgomery County Utility District No. 2"; declaring the district a governmental agency and body politic and corporate; defining the boundaries; finding that the boundaries of the district form a closure; finding that all property within the district will be benefited thereby; conferring rights, powers, privileges, authorities and functions upon the district; providing for continuing supervision by the state through the Texas Water Rights Commission; providing for the power to contract and making provision for such contracts; providing that taxes may be levied, collected and pledged to support contracts or to purchase water; providing that the Regional Waste Disposal Act shall be applicable; providing that no confirmation election is necessary; providing for a hearing on exclusions; providing that the district shall use the ad valorem plan of taxation; providing for addition or annexation of land; providing for the appointment, election and powers of a board of directors and related matters; providing for compliance with Article 7880-139, V.T.C.S.; providing for the power to borrow money, issue bonds, invest surplus funds and related matters; providing for the power of eminent domain, the use of public roadways, streets, alleys and easements and the district bearing the expense of relocation of certain properties and facilities; providing for the appointment of depositories and a system of accounts and an audit thereof; providing for district offices; providing that powers may be exercised within or without the district boundaries in contiguous or noncontiguous areas; providing for minimum price of bonds; providing that no general law, including Article 7880-77b, V.T.C.S., pertaining to dissolution shall be applicable to the district; providing for notice of elections; providing for canvassing elections; providing that the bonds of the district are eligible investments and security; providing that the Municipal Annexation Act is not applicable to the creation of the district but that Article 1182c-1, V.T.C.S., shall be applicable; finding that the requirements of Article 16, Section 59(d) of the Constitution have been accomplished; finding that the district will be carrying out an essential public function and providing that district properties and purchases are tax-free; enacting other provisions related to the aforementioned subject; providing a severability clause; and declaring an emergency.

Referred to Committee on Conservation and Reclamation.

By Lee:

HB 1155, A bill to be entitled An Act relating to standards of conduct for legislators and procedures for investigation and recommendations by a legislative committee; and declaring an emergency.

Referred to Committee on State Affairs.

By Lovell:

HB 1156, A bill to be entitled An Act removing the catch or retention limit on crappie or white perch in Leon County; and declaring an emergency.

Referred to Committee on Parks and Wildlife.

By Lovell:

HB 1157, A bill to be entitled An Act relating to providing an open season for deer and no open season for turkey in Leon County; and declaring an emergency.

Referred to Committee on Parks and Wildlife.

By Lovell:

HB 1158, A bill to be entitled An Act repealing the requirement for bonding of school bus drivers; repealing Subsection (c) and amending Subsection (d), Section 21.170, Texas Education Code; and declaring an emergency.

Referred to Committee on Public Education.

By John Allen:

HB 1159, A bill to be entitled An Act relating to the jurisdiction of the Court of Domestic Relations for Gregg County; amending Section 2, Chapter 443, Acts of the 56th Legislature, Regular Session, 1959, as amended (Article 2338-13, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Judiciary.

By T. Bass, Mengden, Gammage, and E. Jones:

HB 1160, A bill to be entitled An Act relating to reapportionment of state representative districts; amending Chapter 351, Acts of the 59th Legislature, Regular Session, 1965, as amended (Article 195a, Vernon's Texas Civil Statutes); repealing Chapters 733 and 808, Acts of the 61st Legislature, Regular Session, 1969 (Articles 195a-1 and 195a-2, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Congressional and Legislative Districts.

By Schulle:

HB 1161, A bill to be entitled An Act relating to the sale of fish in Gonzales County; providing penalties; and declaring an emergency.

Referred to Committee on Parks and Wildlife.

By Schulle:

HB 1162, A bill to be entitled An Act abolishing the offices of county superintendent and ex-officio county superintendent and the county school board in certain counties; and declaring an emergency.

Referred to Committee on Counties.

By Schulle:

HB 1163, A bill to be entitled An Act relating to the possession of motor vehicles on which the engine numbers have been removed, erased, or destroyed; providing penalties for violation; amending the Penal Code of Texas, 1925, by amending Article 1431 and adding Article 1431a; and declaring an emergency.

Referred to Committee on Criminal Jurisprudence.

By Coats and Boyle:

HB 1164, A bill to be entitled An Act relating to recovery of attorney's fees in suits to collect liquidated claims; amending Article 2226, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency.

Referred to Committee on Judiciary.

By Daniel:

HB 1165, A bill to be entitled An Act relating to the compensation of the assistant district attorney for the 9th Judicial District; amending Section 4, Chapter 560, Acts of the 60th Legislature, Regular Session, 1967 (Article 326L-2, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Counties.

By Daniel:

HB 1166, A bill to be entitled An Act relating to the compensation of the official shorthand reporter for the 75th Judicial District; amending Section 1, Chapter 289, Acts of the 58th Legislature, Regular Session, 1963 (Article 2326j-30, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Counties.

By Beckham, Hawn, Kubiak, C. Parker, and Denton:

HB 1167, A bill to be entitled An Act providing for the definition of certain terms; granting authority to take certain abandoned vehicles into custody; providing for certain notices to registered or recorded owners and lien holders of vehicles deemed abandoned and for the contents of such notices; establishing rights of owners or lien holders to reclaim vehicles deemed abandoned; requiring the public auction of abandoned vehicles and providing for title to the vehicle by a purchaser at a public auction and providing for the distribution of the proceeds from the sale of abandoned motor vehicles; declaring certain motor vehicles to be abandoned upon the premises of a garagekeeper, providing for the custody and public sale thereof, and the distribution of proceeds; providing for the demolition and disposal of certain motor vehicles; providing for an effective date; and declaring an emergency.

Referred to Committee on State Affairs.

By Cobb:

HB 1168, A bill to be entitled An Act relating to the creation of the Governor's Commission on Physical Fitness and its powers and duties; and declaring an emergency.

Referred to Committee on Governmental Affairs and Efficiency.

By Cobb:

HB 1169, A bill to be entitled An Act relating to the authority of certain wholesale dealers to possess and transport unstamped cigarettes; amending Article 7.01, Section (5), Article 7.09, and Article 7.10, Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925, as amended, adding Article 7.10a to Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925, and amending Section (2), Article 7.29, Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925; and declaring an emergency.

Referred to Committee on Revenue and Taxation.

By Cobb:

HB 1170, A bill to be entitled An Act providing that an owner of a life estate is entitled to all oil, gas, and other mineral royalties during the term of the life estate regardless of whether or not the well or mine was open at the time the life estate came into being, unless the will or instrument creating the life estate expressly limits the right of the life tenant to such royalties; and declaring an emergency.

Referred to Committee on Oil, Gas, and Mining.

By Nelms:

HB 1171, A bill to be entitled An Act requiring the Railroad Commission to adopt regulations prohibiting the transportation of natural gas in plastic pipe within the limits of any incorporated city; amending Article 6053, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency.

Referred to Committee on Urban Affairs.

By Jungmichel:

HB 1172, A bill to be entitled An Act to amend Title 2, Texas Education Code, by adding a Chapter 32 authorizing and establishing the procedure to create, administer and operate Occupational Skill Center Jurisdiction(s) subject to guidelines, regulations and approval of the Central Education Agency authorized herein for the development of comprehensive and coordinated technical-vocational education offerings; providing for an appropriation of state funds on a matching basis with voted county vocational school tax revenues or with certain budgeted local school funds where county tax not voted, and allocated pursuant to and for purposes of such centers, to be paid from the Foundation School Program Funds; prescribing eligibility for student enrollments; providing for an effective date of this Act, and for the utilization of Federal funds available to imple-

ment programs operated hereunder for the acquisition of equipment as may be needed; and declaring an emergency.

Referred to Committee on Appropriations.

By Jungmichel:

HB 1173, A bill to be entitled An Act to amend Subchapter F of the Texas Education Code, adopted by the 61st Legislature, Regular Session, 1969, to add a new subsection providing for the allocation of funds to certain public school districts for the transportation of students who are enrolled in and attending vocational education programs or classes conducted by or for the said school district but which may not be conducted in a school in the students' attendance area; and declaring an emergency.

Referred to Committee on Public Education.

By Jungmichel:

HB 1174, A bill to be entitled An Act to amend Article 3.12 of Chapter 3 of the Insurance Code (Acts, 1957, Fifty-fifth Legislature, Regular Session) so as to provide no "domestic" company shall pay to any of its officers, trustees, or directors a salary, compensation or emolument, or pay any such salary, compensation or emolument to any person, firm or corporation amounting in any one (1) year to more than Twenty Thousand Dollars (\$20,000), unless such payment be first authorized by vote of the board of directors of such company or by a committee of such board with authority to authorize such payments; providing for exception in favor of the payment of renewal commissions to agents; to permit the stockholders of "domestic" life insurance companies to authorize the inauguration of a plan or plans for the payment of pensions, retirement or group insurance to its officers and employees; to provide that the stockholders may delegate to the board of directors authority and responsibility for the preparation, inauguration, putting into effect, final approval and administration of any such plan or plans or any amendments thereof, conferring the same discretion, authority, privileges and rights upon mutual companies as are conferred upon "domestic" companies under subparagraph (b); providing for severability; and declaring an emergency.

Referred to Committee on Insurance.

By Jungmichel:

HB 1175, A bill to be entitled An Act relating to the abolition of the office of county superintendent in certain counties; and declaring an emergency.

Referred to Committee on Counties.

By Silber:

HB 1176, A bill to be entitled An Act declaring certain tuition payments to nonpublic education institutions to be a charitable contribution to the State of Texas; and declaring an emergency.

Referred to Committee on Appropriations.

By Silber:

HB 1177, A bill to be entitled An Act amending Section 3 of the Municipal Annexation Act, as amended (Article 970a, V.T.C.S.), by adding Subsection 3E. prescribing the response by city fire departments to fire alarms originating in the extraterritorial jurisdiction of the city; and declaring an emergency.

Referred to Committee on Urban Affairs.

By Silber:

HB 1178, A bill to be entitled An Act relating to the power of city councils to restrict the sending of men and equipment to catastrophic fires or other disasters; and declaring an emergency.

Referred to Committee on Urban Affairs.

By Daniel:

HB 1179, A bill to be entitled An Act creating and establishing a conservation and reclamation district under and essential to the purposes of Article 16, Section 59 of the Constitution of Texas to be known as "Corinthian Point Utility District"; declaring the district a governmental agency and body politic and corporate; defining the boundaries; finding that the boundaries of the district form a closure; finding that all property within the district will be benefited thereby; conferring rights, powers, privileges, authorities and functions upon the district; providing for continuing supervision by the state through the Texas Water Rights Commission; providing for the power to contract and making provision for such contracts; providing that taxes may be levied, collected and pledged to support contracts or to purchase water; providing that the Regional Waste Disposal Act shall be applicable; providing that no confirmation election is necessary; providing for a hearing on exclusions; providing that the district shall use the ad valorem plan of taxation; providing for addition or annexation of land; providing for the appointment, election and powers of a board of directors and related matters; providing for compliance with Article 7880-139, V.T.C.S.; providing for the power to borrow money, issue bonds, invest surplus funds and related matters; providing for the power of eminent domain, the use of public roadways, streets, alleys and easements and the district bearing the expense of relocation of certain properties and facilities; providing for the appointment of depositories and a system of accounts and an audit thereof; providing for district offices; providing that powers may be exercised within or without the district boundaries in contiguous or noncontiguous areas; providing for minimum price of bonds; providing that no general law, including Article 7880-77b, V.T.C.S., pertaining to dissolution shall be applicable to the district; providing for notice of elections; providing for canvassing elections; providing that the bonds of the district are eligible investments and security; providing that the Municipal Annexation Act is not applicable to the creation of the district but that Article 1182c-1, V.T.C.S., shall be applicable; finding that the requirements of Article 16, Section 59(d) of the Constitution have been accomplished; finding that the district will be carrying out an essential public function and providing that district properties and purchases are tax-free; enacting other provisions related to the aforementioned subject; providing a severability clause; and declaring an emergency.

Referred to Committee on Conservation and Reclamation.

By Hull and Wayne:

HB 1180, A bill to be entitled An Act relating to the power of political subdivisions to place certain signs along certain right-of-way; and declaring an emergency.

Referred to Committee on Urban Affairs.

By Hull:

HB 1181, A bill to be entitled An Act relating to certificates of title to certain motor vehicles obtained for scrap disposal, resale of parts, or other form of salvage; and declaring an emergency.

Referred to Committee on Highways and Roads.

By Burgess:

HB 1182, A bill to be entitled An Act providing for a minimum bovine brucellosis blood test; amending Section 23A, Chapter 52, Acts of the 41st Legislature, 1st Called Session, 1929, as amended (Article 1525b, Vernon's Texas Penal Code); and declaring an emergency.

Referred to Committee on Livestock.

By Pickens:

HB 1183, A bill to be entitled An Act amending Article 5459, Revised Civil Statutes of Texas of 1925, to add a new section defining what constitutes the time of the inception of the lien; and declaring an emergency.

Referred to Committee on Judiciary.

By Pickens:

HB 1184, A bill to be entitled An Act relating to the appointment and compensation of reporters for the 70th and 161st Judicial Districts and for the County Court at Law of Ector County, Texas; amending Section 1, Chapter 319, Acts of the 57th Legislature, Regular Session, 1961, as amended (Article 2326j-10, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Counties.

By Clark and Nelms:

HB 1185, A bill to be entitled An Act relating to water quality control plans for navigation districts, port authorities, and commercial ship and barge unloading facilities operated by private persons and industries; providing for employment of water quality control inspectors; requiring navigation districts and port authorities to furnish waste receipt facilities unless waiver is granted; authorizing financing for waste disposal facilities and waste control programs of navigation districts and port authorities; providing that mariners for operation of pleasure craft are excluded from this Act; and declaring an emergency.

Referred to Committee on State Affairs.

By Clark and Nelms:

HB 1186, A bill to be entitled An Act relating to the issuance of solid waste disposal permits by the Texas Water Quality Board and the State Department of Health; amending Subsection (e), Section 4, Solid Waste Disposal Act (Article 4477-7, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on State Affairs.

By Clark and Nelms:

HB 1187, A bill to be entitled An Act relating to the filing, recording, and review of subdivision plats for unincorporated areas in the state; repealing Chapter 436 Acts of the 55th Legislature, Regular Session, 1957, as amended (Article 6626a, Vernon's Texas Civil Statutes), and Chapter 151, Acts of the 52nd Legislature, Regular Session, 1951 (Article 2372k, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Counties.

By Clark and Nelms:

HB 1188, A bill to be entitled An Act relating to the mileage allowance of the county tax assessor and collector and his deputies in certain counties; amending Section 3, Chapter 207, Acts of the 41st Legislature, Regular Session, 1929, as amended (Article 3899b, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Counties.

By H. Davis:

HB 1189, A bill to be entitled An Act relating to the creation of a Peace Officers Training Fund to be administered by the Law Enforcement Officers Standards and Education Commission and to be funded by an assessment on all fines levied by the courts of this state; and declaring an emergency.

Referred to Committee on Revenue and Taxation.

By H. Davis:

HB 1190, A bill to be entitled An Act amending Article 655, Revised Civil Statutes of Texas, 1925, as amended, to eliminate the requirement for a certification on the invoice by the contractor or seller and requiring that such invoice be tendered in accordance with Board of Control rules and regulations; and declaring an emergency.

Referred to Committee on Governmental Affairs and Efficiency.

MESSAGE FROM THE SENATE

Austin, Texas, March 17, 1971

Honorable Gus Mutscher, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

HB 3, By McAlister: Relating to the amount available for workmen's compensation awards and expenses at Texas Tech University; and declaring an emergency.

HB 187, By Moncrief, Longoria: Granting certain minors the capability to consent to examination and treatment by a licensed physician for any drug addiction, etc.; and declaring an emergency.

HCR 89, By Harding: Commending Master Sergeant Finnis D. McCleery.

Respectfully,
CHARLES A. SCHNABEL
Secretary of the Senate

(Speaker in the Chair)

Representatives Allred, Burgess, and Doran entered the House and were announced present.

(Mr. Murray in the Chair)

HCR 72—ADOPTED

The Chair laid before the House the following resolution on committee report:

HCR 72, Requesting Parks and Wildlife Department to issue additional bonds for acquisition and development of new parks.

The resolution was adopted.

SJR 20—POSTPONED

Mr. Traeger moved that consideration of SJR 20 be postponed until 11:30 a.m., March 29.

The motion prevailed without objection.

SB 241 ON SECOND READING
(Mr. Spurlock—House Sponsor)

The Chair laid before the House on its second reading and passage to third reading,

SB 241, A bill to be entitled An Act transferring original jurisdiction in matters of eminent domain from the County Court and the County Court at Law of Tarrant County to the district courts of that county; and declaring an emergency.

The bill was read second time and was passed to third reading.

VOTE RECORDED

Mr. Hale requested to be recorded as voting Nay on the passage to third reading of SB 241.

(Speaker in the Chair)

SB 241 ON THIRD READING

Mr. Spurlock moved that the constitutional rule requiring bills to be read on three several days be suspended and that SB 241 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—123

Adams	Doyle	Lee	Rosson
Allen, Joe	Dramberger	Lemmon	Salem
Allen, John	Earthman	Lewis	Salter
Allred	Finck	Ligarde	Santiesteban
Angly	Finnell	Lombardino	Schulle
Atwell	Finney	Lovell	Semos
Baker	Foreman	McAlister	Shannon
Bass, B.	Gammage	McKissack	Sherman
Bass, T.	Garcia	Mengden	Short
Beckham	Golman	Moncrief	Silber
Bigham	Grant	Moore, A.	Simmons
Blanton	Hanna, Joe	Moore, G.	Slack
Blythe	Harding	Moore, T.	Slider
Bowers	Harris	Moreno	Smith
Boyle	Hawkins	Murray	Solomon
Braecklein	Hawn	Nabers	Spurlock
Braun	Haynes	Nelms	Stewart
Burgess	Head	Neugent, D.	Stroud
Bynum	Heatly	Newton	Swanson
Caldwell	Hilliard	Nichols	Traeger
Calhoun	Holmes, T.	Niland	Truan
Carrillo	Holmes, Z.	Ogg	Tupper
Cates	Howard	Orr	Uher
Cavness	Hubenak	Parker, C.	Von Dohlen
Christian	Ingram	Parker, W.	Ward
Coats	Johnson	Pickens	Wayne
Cole	Jungmichel	Poerner	Wieting
Craddick	Kaster	Poff	Williams
Davis, D.	Kilpatrick	Presnal	Williamson
Davis, H.	Kost	Price	Wolff
Denton	Kubiak	Reed	

Nays—16

Agnich	Farenthold	Jones, D.	Nugent, J.
Atwood	Floyd	Jones, E.	Patterson
Daniel	Graves	Jones, G.	Rodriguez
Doran	Hale	Longoria	Vale

Absent

Clark	Hannah, John	Sanchez	Wyatt
Cruz	Hendricks	Tarbox	

Absent-Excused

Clayton	Cobb	Hull
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The Speaker then laid SB 241 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—132

Adams	Denton	Kaster	Price
Agnich	Doran	Kilpatrick	Reed
Allen, Joe	Doyle	Kost	Rodriguez
Allen, John	Dramberger	Kubiak	Rosson
Allred	Earthman	Lee	Salem
Angly	Finck	Lemmon	Salter
Atwell	Finnell	Lewis	Sanchez
Atwood	Finney	Ligarde	Schulle
Baker	Floyd	Lombardino	Semos
Bass, B.	Foreman	Longoria	Shannon
Bass, T.	Gammage	McAlister	Sherman
Beckham	Garcia	McKissack	Short
Bigham	Golman	Mengden	Silber
Blanton	Grant	Moncrief	Simmons
Blythe	Hanna, Joe	Moore, A.	Slack
Bowers	Harding	Moore, G.	Slider
Boyle	Harris	Moore, T.	Smith
Braecklein	Hawkins	Moreno	Spurlock
Braun	Hawn	Murray	Stewart
Burgess	Haynes	Nabers	Stroud
Bynum	Head	Nelms	Swanson
Caldwell	Heatly	Neugent, D.	Tarbox
Calhoun	Hilliard	Newton	Truan
Carrillo	Holmes, T.	Nichols	Tupper
Cates	Holmes, Z.	Nugent, J.	Uher
Cavness	Howard	Ogg	Vale
Christian	Hubenak	Orr	Von Dohlen
Coats	Ingram	Parker, C.	Ward
Cole	Johnson	Parker, W.	Wayne
Craddick	Jones, D.	Pickens	Wieting
Cruz	Jones, E.	Poerner	Williams
Davis, D.	Jones, G.	Poff	Williamson
Davis, H.	Jungmichel	Presnal	Wolff

Nays—4

Daniel	Farenthold	Graves	Hale
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Present—Not Voting

Patterson

Absent

Clark	Lovell	Santiesteban	Traeger
Hannah, John	Niland	Solomon	Wyatt
Hendricks			

Absent-Excused

Clayton	Cobb	Hull
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Mr. Moncrief moved to reconsider the vote by which SB 241 was passed and to table the motion to reconsider.

The motion to table prevailed.

SB 64—POSTPONED

Mr. Braecklein moved that consideration of SB 64 be postponed until 11:00 a.m., March 29.

The motion prevailed without objection.

HB 329 ON THIRD READING

The Speaker laid before the House on its third reading and final passage,

HB 329, Redefines insurance organization for premium tax purposes and provides exceptions to imposition of tax.

The bill was read third time and was passed by the following vote:

Yeas—136

Adams	Braun	Earthman	Heatly
Agnich	Bynum	Farenthold	Hendricks
Allen, Joe	Calhoun	Finck	Hilliard
Allen, John	Carrillo	Finnell	Holmes, Z.
Allred	Cates	Finney	Howard
Angly	Cavness	Floyd	Hubenak
Atwell	Christian	Foreman	Ingram
Atwood	Coats	Gammage	Johnson
Baker	Cole	Garcia	Jones, D.
Bass, B.	Craddick	Golman	Jones, E.
Bass, T.	Cruz	Grant	Jones, G.
Beckham	Daniel	Graves	Jungmichel
Bigham	Davis, D.	Hale	Kaster
Blanton	Davis, H.	Hanna, Joe	Kilpatrick
Blythe	Denton	Harris	Kost
Bowers	Doran	Hawkins	Kubiak
Boyle	Doyle	Hawn	Lee
Braecklein	Dramberger	Head	Lemmon

Lewis	Newton	Rosson	Spurlock
Ligarde	Nichols	Salem	Stewart
Lombardino	Niland	Salter	Swanson
Longoria	Nugent, J.	Sanchez	Tarbox
Lovell	Ogg	Santiesteban	Traeger
McAlister	Orr	Schulle	Truan
McKissack	Parker, C.	Semos	Tupper
Mengden	Parker, W.	Shannon	Uher
Moncrief	Patterson	Sherman	Vale
Moore, A.	Pickens	Short	Von Dohlen
Moore, T.	Poerner	Silber	Ward
Moreno	Poff	Simmons	Wayne
Murray	Presnal	Slack	Wieting
Nabers	Price	Slider	Williams
Nelms	Reed	Smith	Williamson
Neugent, D.	Rodriguez	Solomon	Wolff

Nays—2

Caldwell Stroud

Present—Not Voting

Burgess

Absent

Clark	Harding	Holmes, T.	Wyatt
Hannah, John	Haynes	Moore, G.	

Absent-Excused

Clayton Cobb Hull

Mr. Jungmichel moved to reconsider the vote by which HB 329 was passed and to table the motion to reconsider.

The motion to table prevailed.

HB 66 ON THIRD READING

The Speaker laid before the House on its third reading and final passage,

HB 66, Provides Red Cross, Salvation Army and other organizations may be designated as defense and disaster relief agents in emergencies.

The bill was read third time.

Mr. Harding offered the following amendment to the bill:

Amend HB 66 by adding after the words "Mercy Corps Houston, Harris County," the following, " , San Angelo Emergency Corps,"

The amendment was adopted without objection.

HB 66, as amended, was passed by the following vote:

Yeas—141

Adams	Doyle	Kilpatrick	Rodriguez
Agnich	Dramberger	Kost	Rosson
Allen, Joe	Earthman	Kubiak	Salem
Allen, John	Farenthold	Lee	Salter
Allred	Finck	Lemmon	Santiesteban
Angly	Finnell	Lewis	Schulle
Atwell	Finney	Ligarde	Semos
Atwood	Floyd	Lombardino	Shannon
Baker	Foreman	Longoria	Sherman
Bass, B.	Gammage	Lovell	Short
Bass, T.	Garcia	McAlister	Silber
Beckham	Golman	McKissack	Simmons
Bigham	Grant	Mengden	Slack
Blanton	Graves	Moncrief	Slider
Blythe	Hale	Moore, A.	Smith
Bowers	Hanna, Joe	Moore, G.	Solomon
Boyle	Harding	Moore, T.	Spurlock
Braecklein	Harris	Moreno	Stewart
Braun	Hawkins	Murray	Stroud
Burgess	Hawn	Nabers	Swanson
Bynum	Haynes	Nelms	Tarbox
Caldwell	Head	Neugent, D.	Traeger
Calhoun	Heatly	Newton	Truan
Carrillo	Hendricks	Nichols	Tupper
Cates	Hilliard	Niland	Uher
Cavness	Holmes, T.	Nugent, J.	Vale
Christian	Holmes, Z.	Orr	Von Dohlen
Coats	Howard	Parker, C.	Ward
Cole	Hubenak	Parker, W.	Wayne
Craddick	Ingram	Patterson	Wieting
Cruz	Johnson	Pickens	Williams
Daniel	Jones, D.	Poerner	Williamson
Davis, D.	Jones, E.	Poff	Wolff
Davis, H.	Jones, G.	Presnal	
Denton	Jungmichel	Price	
Doran	Kaster	Reed	

Absent

Clark	Ogg	Sanchez	Wyatt
Hannah, John			

Absent-Excused

Clayton	Cobb	Hull
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Mr. Delwin Jones moved to reconsider the vote by which HB 66 was passed and to table the motion to reconsider.

The motion to table prevailed.

HB 326 ON THIRD READING

The Speaker laid before the House on its third reading and final passage,

HB 326, Prohibits calling of wild fox by artificial means in certain counties.

The bill was read third time.

Mr. Daniel offered the following amendment to the bill:

Amend HB 326 by adding the word "Liberty," before the word "Shelby," on line 16 of the second printing thereof.

The amendment was adopted without objection.

Mr. Agnich offered the following amendment to the bill:

Amend HB 326 by striking the period and the close quotation marks at the end of quoted Section 1 and there inserting a semicolon and the following:

"provided, however, on obtaining a permit from the Parks and Wildlife Department, a person may use such devices for purposes of scientific research or the making of wildlife movies."

The amendment was adopted without objection.

HB 326, as amended, was passed.

Mr. Adams moved to reconsider the vote by which HB 326 was passed and to table the motion to reconsider.

The motion to table prevailed.

HB 328 ON THIRD READING

The Speaker laid before the House on its third reading and final passage,

HB 328, Provides certain education employees shall not be employed by textbook publishing companies; exempting teachers who are authors.

The bill was read third time.

Mr. Jungmichel offered the following amendment to the bill:

Committee Amendment No. 1

Amend HB 328, Section 1, Subsection (b) to read as follows:

(b) Bona fide employment of teachers as authors or sellers of textbooks and compensation received by teachers for work done as authors or sellers of textbooks shall not subject such teachers to the penalties provided in this Section; however, such teachers are specifically excluded from service on local textbook selection committees. Such employment and compensation shall be an exception to the provisions of this Section.

The amendment was adopted without objection.

HB 328, as amended, was passed by the following vote:

Yeas—142

Adams	Doyle	Kilpatrick	Rodriguez
Agnich	Dramberger	Kost	Rosson
Allen, Joe	Earthman	Kubiak	Salem
Allen, John	Farenthold	Lee	Salter
Allred	Finck	Lemmon	Sanchez
Angly	Finnell	Lewis	Santiesteban
Atwell	Finney	Ligarde	Schulle
Atwood	Floyd	Lombardino	Semos
Baker	Foreman	Longoria	Shannon
Bass, B.	Gammage	Lovell	Sherman
Bass, T.	Garcia	McAlister	Short
Beckham	Golman	McKissack	Silber
Bigham	Grant	Mengden	Simmons
Blanton	Graves	Moncrief	Slack
Blythe	Hale	Moore, A.	Slider
Bowers	Hanna, Joe	Moore, G.	Smith
Boyle	Harding	Moore, T.	Solomon
Braecklein	Harris	Moreno	Spurlock
Braun	Hawkins	Murray	Stewart
Burgess	Hawn	Nabers	Stroud
Bynum	Haynes	Nelms	Swanson
Caldwell	Head	Newton	Tarbox
Calhoun	Heatly	Nichols	Traeger
Carrillo	Hendricks	Niland	Truan
Cates	Hilliard	Nugent, J.	Tupper
Cavness	Holmes, T.	Ogg	Uher
Christian	Holmes, Z.	Orr	Vale
Coats	Howard	Parker, C.	Von Dohlen
Cole	Hubenak	Parker, W.	Ward
Craddick	Ingram	Patterson	Wayne
Cruz	Johnson	Pickens	Wieting
Daniel	Jones, D.	Poerner	Williams
Davis, D.	Jones, E.	Poff	Williamson
Davis, H.	Jones, G.	Presnal	Wolff
Denton	Jungmichel	Price	
Doran	Kaster	Reed	

Absent

Clark	Hannah, John	Neugent, D.	Wyatt
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Absent-Excused

Clayton	Cobb	Hull
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Mr. Jungmichel moved to reconsider the vote by which HB 328 was passed and to table the motion to reconsider.

The motion to table prevailed.

HB 63 ON THIRD READING

The Speaker laid before the House on its third reading and final passage,

HB 63, Relates to appointment and terms of Texas State Board of Examiners of Psychologists.

The bill was read third time and was passed by the following vote:

Yeas—137

Adams	Doran	Kilpatrick	Salem
Agnich	Earthman	Kost	Salter
Allen, Joe	Farenthold	Kubiak	Sanchez
Allen, John	Finck	Lee	Santiesteban
Allred	Finnell	Lemmon	Schulle
Angly	Finney	Lewis	Semos
Atwell	Floyd	Ligarde	Shannon
Atwood	Foreman	Lombardino	Sherman
Baker	Gammage	Longoria	Short
Bass, B.	Garcia	McKissack	Silber
Bass, T.	Golman	Mengden	Simmons
Beckham	Grant	Moncrief	Slack
Bigham	Graves	Moore, A.	Slider
Blanton	Hale	Moore, G.	Smith
Blythe	Hanna, Joe	Moore, T.	Solomon
Bowers	Harding	Moreno	Spurlock
Boyle	Harris	Murray	Stewart
Braecklein	Hawkins	Nabers	Stroud
Braun	Hawn	Nelms	Swanson
Burgess	Haynes	Neugent, D.	Tarbox
Bynum	Head	Newton	Traeger
Caldwell	Heatly	Nichols	Truan
Calhoun	Hendricks	Niland	Tupper
Carrillo	Hilliard	Nugent, J.	Uher
Cates	Holmes, T.	Ogg	Vale
Cavness	Holmes, Z.	Orr	Von Dohlen
Christian	Howard	Parker, C.	Ward
Coats	Hubenak	Pickens	Wayne
Cole	Ingram	Poerner	Wieting
Craddick	Johnson	Poff	Williams
Cruz	Jones, D.	Presnal	Williamson
Daniel	Jones, E.	Price	Wolff
Davis, D.	Jones, G.	Reed	
Davis, H.	Jungmichel	Rodriguez	
Denton	Kaster	Rosson	

Absent

Clark	Hannah, John	McAlister	Patterson
Doyle	Lovell	Parker, W.	Wyatt
Dramberger			

Absent-Excused

Clayton	Cobb	Hull
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Mr. Cavness moved to reconsider the vote by which HB 63 was passed and to table the motion to reconsider.

The motion to table prevailed.

HB 76 ON THIRD READING

The Speaker laid before the House on its third reading and final passage,

HB 76, Creating Professional Services Procurement Act.

The bill was read third time.

Mr. Orr offered the following amendment to the bill:

Amend HB 76 by placing a comma at the end of Sect. 3 and adding the following language: "as long as professional fees are consistent with and not higher than the published recommended practices and fees of the various applicable professional associations and do not exceed the maximum provided by any state law."

The amendment was adopted without objection.

HB 76, as amended, was passed by the following vote:

Yeas—129

Adams	Dramberger	Kilpatrick	Salem
Agnich	Earthman	Kost	Salter
Allen, Joe	Farenthold	Lee	Sanchez
Allen, John	Finck	Lemmon	Santiesteban
Angly	Finnell	Lewis	Schulle
Atwell	Finney	Ligarde	Semos
Atwood	Floyd	Lombardino	Shannon
Baker	Foreman	Longoria	Sherman
Bass, B.	Gammage	McAlister	Short
Bass, T.	Garcia	McKissack	Simmons
Beckham	Golman	Mengden	Slack
Bigham	Grant	Moncrief	Slider
Blanton	Hale	Moore, A.	Smith
Boyle	Hanna, Joe	Moore, G.	Solomon
Braecklein	Harding	Moreno	Spurlock
Braun	Harris	Nabers	Stewart
Burgess	Hawkins	Nelms	Stroud
Bynum	Hawn	Newton	Swanson
Calhoun	Haynes	Nichols	Traeger
Carrillo	Head	Niland	Truan
Cates	Heatly	Nugent, J.	Tupper
Cavness	Hendricks	Ogg	Uher
Christian	Hilliard	Orr	Vale
Coats	Holmes, T.	Parker, C.	Von Dohlen
Cole	Holmes, Z.	Parker, W.	Ward
Craddick	Howard	Pickens	Wayne
Cruz	Hubenak	Poerner	Wieting
Daniel	Ingram	Poff	Williams
Davis, D.	Johnson	Presnal	Williamson
Davis, H.	Jones, D.	Price	Wolff
Denton	Jones, G.	Reed	
Doran	Jungmichel	Rodriguez	
Doyle	Kaster	Rosson	

Nays—8

Allred	Bowers	Graves	Kubiak
Blythe	Caldwell	Jones, E.	Moore, T.

Present—Not Voting

Silber

Absent

Clark	Lovell	Neugent, D.	Tarbox
Hannah, John	Murray	Patterson	Wyatt

Absent-Excused

Clayton	Cobb	Hull
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Mr. Traeger moved to reconsider the vote by which HB 76 was passed and to table the motion to reconsider.

The motion to table prevailed.

REASON FOR VOTE

March 17, 1971

I voted Present—Not Voting on the passage of HB 76 because I am a registered professional engineer.

Signed: Paul Silber

LEAVE OF ABSENCE GRANTED

Mr. Wyatt was granted leave of absence for the remainder of the day on account of illness on motion of Mr. Coats.

ADJOURNMENT

Mr. Sherman moved that the House adjourn until 10:00 a.m. tomorrow.

The motion prevailed without objection.

The House accordingly, at 11:55 a.m., adjourned until 10:00 a.m. tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by Committees on bills and resolutions, as follows:

Conservation and Reclamation: HB 458, HB 971.

Engrossed and Enrolled Bills: Correctly engrossed—HB 63, HB 66, HB 76, HB 326, HB 328, HB 329, HCR 88, HCR 89.

Parks and Wildlife: HB 420, HB 676.

Public Education: HB 163.

State Affairs: HB 616, HB 618.

SENT TO THE GOVERNOR
March 16, 1971

HB 37

HCR 76

FORTIETH DAY—THURSDAY, MARCH 18, 1971

The House met at 10:00 a.m. and was called to order by the Speaker.

The roll of the House was called and the following Members were present:

Mr. Speaker	Denton	Kaster	Poff
Adams	Doyle	Kilpatrick	Presnal
Agnich	Dramberger	Kost	Reed
Allen, Joe	Earthman	Kubiak	Rosson
Allen, John	Farenthold	Lee	Salem
Allred	Finck	Lemmon	Schulle
Angly	Finnell	Lewis	Semos
Baker	Finney	Lombardino	Shannon
Bass, B.	Floyd	Longoria	Sherman
Bass, T.	Foreman	Lovell	Silber
Beckham	Gammage	McAlister	Simmons
Bigham	Garcia	McKissack	Slack
Blanton	Grant	Mengden	Slider
Blythe	Graves	Moncrief	Smith
Bowers	Hanna, Joe	Moore, A.	Solomon
Boyle	Hannah, John	Moore, G.	Swanson
Braecklein	Harding	Moore, T.	Tarbox
Braun	Harris	Moreno	Traeger
Burgess	Hawkins	Murray	Truan
Bynum	Hawn	Nabers	Tupper
Caldwell	Haynes	Nelms	Uher
Calhoun	Head	Neugent, D.	Vale
Carrillo	Heatly	Newton	Von Dohlen
Cates	Hendricks	Nichols	Ward
Cavness	Hilliard	Niland	Wieting
Christian	Holmes, T.	Nugent, J.	Williams
Coats	Howard	Ogg	Williamson
Cole	Hubenak	Orr	Wolff
Craddick	Ingram	Parker, C.	Wyatt
Daniel	Jones, D.	Parker, W.	
Davis, D.	Jones, E.	Patterson	
Davis, H.	Jungmichel	Poerner	
Absent			
Atwood	Jones, G.	Rodriguez	Stewart
Cruz	Ligarde	Sanchez	
Hale	Pickens	Santiesteban	
Johnson	Price	Short	